

MINUTES OF THE DARE COUNTY PLANNING BOARD MEETING

The Dare County Planning Board held their regularly scheduled meeting on Monday, March 9, 2009. The meeting was held in the meeting room of the Dare County Board of Commissioners meeting room located at 954 Marshall Collins Drive, Manteo, NC.

CALL TO ORDER 7:00 pm

MEMBERS PRESENT

Elmer R. Midgett, Jr., Chairman
Henry Haywood
Dan Oden

Ricky Scarborough, Jr.
David Overton

MEMBERS ABSENT

Mary Beth Midgett
John Finelli

APPROVAL OF MINUTES

There being no additions or deletions to be made to the minutes of the February 9, 2009 meeting of the Dare County Planning Board, a motion to dispense with reading those minutes and to approve them as submitted was made by Henry Haywood, seconded by Dan Oden.

Vote: Ayes – Unanimous

OLD BUSINESS

None

NEW BUSINESS

Ronald L. Midgett – Waves – Zoning Amendment Petition – Section 22-58.3 (Family Housing Incentive Standards)

Due to the lack of representation, this item was not discussed and will included on the April 10, 2009 Planning Board agenda.

David and Mary Elizabeth Bein – Colington – Conditional Use Permit – Genesis Tattoo Co.

Mr. and Mrs. Bein were both present for the review of this application for a Conditional Use Permit.

Mr. Steve Parsons representing Dayspring Farms located at 1045 Colington Road addressed the Board and expressed concerns regarding the operation of the proposed Tattoo studio next to where he lives relative to the type of atmosphere and influence such establishment may have on his youngest son's four children who also live near the proposed business.

Chairman Midgett informed Mr. Parsons that his remarks would have better been addressed at one of two Public Hearings that were conducted. He stated that the County Commissioners have approved the text amendment to allow tattoo studios in the VC district. Mr. Midgett further explained that the Planning Board can place conditions on the Conditional Use Permit.

Senior Planner Donna Creef told the Board that Dare County Board of Commissioners amended the VC-2 district regulations on February 16, 2009 to add tattoo studios to the list of conditional uses permitted in this district.

Mrs. Creef informed the Board and the Parsons that Mr. Bein is very sensitive to his personal reputation, his business reputation as well as the stigma that has been often attached to tattoo studios. She stated that based on the comments received at the public hearings, she doesn't think there will be any problems with Mr. Bein or his proposed business. She told the Board that all of the comments rendered on his behalf indicated that he is an upstanding individual that takes pride in his work and community.

Mrs. Creef told the Parsons that if anything develops that they are uncomfortable with going on at Mr. Bein's business, they should approach Mr. Bein and to feel free to contact the Planning staff.

Mrs. Creef provided the board with a draft Conditional Use Permit that includes language addressing signage, health department inspections, and the hours of operation for the Boards review and consideration. She noted that parking for the tattoo studio will be addressed as part of the site plan completion of the construction of the commercial unit. Mrs. Creef noted that other conditions identified by the Board during discussion may be added to the draft CUP as necessary.

Mr. Bein told the Board that the hours of operation would basically be as indicated in the draft Conditional Use Permit (10 am – 9 pm, Monday through Saturday). He stated that he doesn't like to work on Sunday because he enjoys going to church, playing music for the church and being with his family. He further stated that there will be very few if any after- hour appointments.

Mr. Bein told Mr. Parsons that if at any time he has an issue or concern, he can definitely approach him and he will do everything in his power to justify and remedy those issues and concerns.

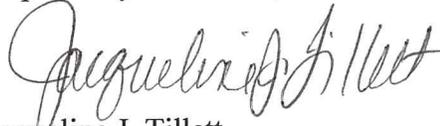
A motion to recommend approval to the Dare County Board of Commissioners subject to the conditions identified in the draft Conditional Use Permit prepared and submitted by staff was made by Ricky Scarborough, Jr., seconded by David Overton and Henry Haywood.

Vote: Ayes – Unanimous

There being no further business before the Dare County Planning Board, a motion to adjourn was made by David Overton, seconded by Henry Haywood and Dan Oden.

Vote: Ayes – Unanimous

Respectfully Submitted,



Jacqueline J. Tillett
Senior Administrative Assistant

APPROVED: April 13, 2009



Elmer R. Midgett, Jr., Chairman
Dare County Planning Board